

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:22-cv-23722-ALTONAGA/DAMIAN

SARAH LOREDO,

Plaintiff,

vs.

CARNIVAL CORPORATION,

Defendants.

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ORDER FOLLOWING DISCOVERY HEARING

THIS CAUSE is before the Court on Plaintiff's Discovery Memorandum (the "Memorandum") [ECF No. 40], filed June 20, 2023. This matter was referred to the undersigned by the Honorable Cecilia M. Altonaga, Chief United States District Judge, pursuant to an Order of Referral of all pretrial discovery matters [ECF No. 13]. *See* 28 U.S.C. § 636(b)(1)(A).

THE COURT has reviewed the Memorandum and Defendant's Response thereto [ECF No. 42], the pertinent portions of the record, and all relevant authorities and is otherwise fully advised in the premises. The Court also heard from the parties, through their counsel, at a Discovery Hearing held on June 28, 2023.

As discussed at the hearing, the Court previously entered an Order regarding the requests at issue in Plaintiff's Memorandum and, in that Order, set time, location, and other parameters for Defendant's obligations in responding to Plaintiff's discovery requests. *See* ECF No. 33. As Defendant points out, Plaintiff did not appeal the Court's Order at the time

but now requests the Court modify its rulings to expand the scope of discovery. The Court interprets Plaintiff's Memorandum as a request for reconsideration of the Court's prior Order.

A motion for reconsideration may be granted based on three major grounds: (1) an intervening change in controlling law; (2) the availability of new evidence; and (3) the need to correct clear error or prevent manifest injustice. *Burger King Corp. v. Ashland Equities, Inc.*, 181 F. Supp. 2d 1366, 1369 (S.D. Fla. 2002). In other words, "[t]he only grounds for granting a motion for reconsideration 'are newly-discovered evidence or manifest errors of law or fact.'" *United States v. Dean*, No. 20-11603, 2020 WL 7655426, at *2 (11th Cir. Dec. 23, 2020) (per curiam) (quoting *Arthur v. King*, 500 F.3d 1335, 1343 (11th Cir. 2007) (per curiam)). "A party's disagreement with the court's decision, absent a showing of manifest error, is not sufficient to demonstrate entitlement to relief." *Id.* (citing *Jacobs v. Tempur-Pedic Int'l, Inc.*, 626 F.3d 1327, 1344 (11th Cir. 2010)).

Plaintiff has not shown any basis warranting reconsideration of the Court's prior Discovery Order. As such, and for the reasons stated on the record, it is hereby

ORDERED AND ADJUDGED that the relief requested in the Memorandum [ECF No. 40] is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 29th day of June, 2023.



MELISSA DAMIAN
UNITED STATES MAGISTRATE JUDGE

Copies to: Hon. Cecilia M. Altonaga, *Chief United States District Judge*,
Counsel of Record